

The opinion in support of the decision being entered today  
(1) was not written for publication in a law journal and  
(2) is not binding precedent of the Board.

Paper No. 27

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte LAVAUGHN F. WATTS, JR, GARY VERDUN,  
RANDALL E. JUENGER and THOMAS R GRIMM

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Appeal No. 1998-3403  
Application No. 08/336,342

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ON BRIEF

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Before URYNOWICZ, JERRY SMITH and FLEMING, Administrative  
Patent Judges

URYNOWICZ, Administrative Patent Judge.

DECISION ON APPEAL

This appeal is from the final rejection of claims 2-5, 7-13,  
17 and 19.

The invention pertains to a computer docking system. Claim 3  
is illustrative and reads as follows:

3. A computer docking system, comprising:

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a portable computer;

a docking station having connection means for  
coupling to an external monitor and an external keyboard;

means for connecting said portable computer to said  
docking station;

at least one PCMCIA card slot in said docking  
station; and

a controller in the docking station to provide the  
necessary hardware interface between the PCMCIA card slot  
and the portable computer.

The references relied upon by the examiner are:

Swindler et al. (Swindler) 1994	5,313,596	May 17,  (filed Jan. 05, 1993)
Amini et al. (Amini) 1995	5,396,602	Mar. 07,  (filed May 28, 1993)
Kikinis et al. (Kikinis) 1996	5,522,089	May 28,  (effective filing date May 07, 1993)

Claims 2-5, 7-13, 17 and 19 stand rejected under 35 U.S.C. §  
103 as being unpatentable over Kikinis in view of Swindler and  
Amini.

The respective positions of the examiner and the appellant  
with regard to the propriety of these rejections are set forth in  
the examiners answer (Paper No. 26) and the appellants' brief

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(Paper No. 25).

### Appellants' Invention

The invention comprises a computer docking station 10 having connection means for coupling to an external monitor 15 and an external keyboard 14, means for connecting the portable computer 13 to the docking station, and at least one PCMCIA option card slot (Fig. 4) in the docking station. A controller in the docking station provides a hardware interface between the PCMCIA card slot and the portable computer and software means for providing the necessary driver support.

### Opinion

After consideration of the positions and arguments presented by both the examiner and the appellants, we have concluded that the rejection should be sustained. The examiner has answered all of the arguments made by appellants and we agree in general with his comments; we add the following discussion for emphasis.

Appellants' argument that neither Kikinis nor Swindler teaches or suggests the use of a PCMCIA controller, though correct, is not controlling because Amini is relied upon for a teaching of the use

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of such a controller.

The argument that there is no evidence that it would have been obvious to include a controller for a PCMCIA card slot in a docking station is unpersuasive because, as noted by the examiner, controllers are required to support communication between card slots and computers. Without controllers, PCMCIA cards would not be functional. We note that in appellants' claim 2, and the SUMMARY OF

THE INVENTION at page 2 of their brief, appellants recite "a controller in the docking station to provide the necessary hardware interface between the PCMCIA card slot and the portable computer" (emphasis added).

With respect to the requirement for a teaching, suggestion or motivation to combine the prior art, Amini is simply utilized to show a controller providing the necessary hardware interface between a PCMCIA card slot and a portable computer. As for Swindler, we agree with the examiner that it would have been obvious to have Kikinis' docking station include connection means for coupling to an external monitor to allow the user to have means of displaying data on a larger monitor than the LCD display

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disclosed by Kikinis. Both Kikinis and Swindler concern docking station apparatus and a conclusion of obviousness may be made from the knowledge and common sense of the person of ordinary skill in the art. In re Bozek, 416 F.2d 1385, 1390, 163 USPQ 545, 549 (CCPA 1969).

Lastly, we agree with the positions taken by the examiner at pages 9 and 10 of the answer, and adopt them as our own, with respect to software means for providing the necessary drive support (emphasis added, claims 4 and 9) and a PCMCIA controller located on a main board of the docking station (claims 5, 10 and 19)<sup>1</sup>.

Summary

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

AFFIRMED

STANLEY M. URYNOWICZ, JR.       )  
Administrative Patent Judge    )

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<sup>1</sup> Claim 19 depends from claim 18, which has been canceled. It is not considered that claim 19 would be allowable over the prior art irrespective of which other appealed claim it could properly be made to depend from.

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